

State of South Carolina

Department of Probation, Parole and Pardon Services



GPS Monitoring Programs Report to General Assembly

January 15, 2007

Prepared By: SCDPPPS Budget Office

State of South Carolina
Department of Probation, Parole and Pardon Services

Mark Sanford
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January 15, 2007

TO: Members, General Assembly of South Carolina

FROM: Samuel B. Glover, Director 

RE: Report on GPS Monitoring Programs

In 2006 the South Carolina General Assembly passed "Jessie's Law" Act 342 and Act 346 of 2006. "Jessie's Law" requires that offenders released after the completion of a term of imprisonment or placed on parole or probation that was convicted of, pled guilty or nolo contendere to an offense as specified in Section 23-3-540 (G) must be placed on a system of active electronic monitoring for the duration of the time the offender is required to remain on the sex offender registry.

The following is a report on GPS Monitoring Programs at the Department of Probation, Parole and Pardon Services as required by the 2007 Appropriations Act, Proviso 72.106.

If you have questions concerning the information contained in this report please contact William Bray, Director of Budget and Legislative Services at 734-9336.

Index

Letter of Transmittal	1
Terms	3
"Jessie's Law" Stats as of December 31, 2006	4
Total GPS Programs Stats as of December 31, 2006	7

Terms

What is GPS?

GPS is a system that can pinpoint within 15 meters a person's position on the Earth using 24 Global Positioning Satellite (GPS) satellites in orbit at 11,000 nautical miles above the Earth. The satellites are owned and operated by the Department of Defense, and continuously transmit signals which can be detected by anyone possessing a GPS receiver.

What is Active GPS?

Active GPS provides continuous information regarding the whereabouts of an offender. This information is automatically uploaded to a main computer via cell technology. Active GPS units can also be "pinged" by the supervising Agent at any time so that the offender's location can be ascertained very rapidly.

What is Passive GPS?

Passive GPS provides information regarding the whereabouts of an offender during the previous 24 hour period. This information is collected throughout the day and is then transmitted via a land line telephone to the main computer and finally is downloaded to the supervising Agent.

What is Mandatory "Jessie's Law" GPS Placement?

A person convicted on Criminal Sexual Conduct with a Minor 1st Degree or Lewd Act upon a Minor is a mandatory GPS placement for the duration of the time the offender is required to remain on the sex offender registry.

What is a Discretionary "Jessie's Law" GPS Placement?

A person convicted of any other offense contained in Act 342 and Act 346 of 2006 other than CSC with a Minor 1st or Lewd Act upon a Minor the Judge has the discretion of placing the offender on GPS for the duration of the time the offender is required to remain on the sex offender registry.

Sex Offender Demographics:

- There are currently over 7,600 sex offenders on the SC Sex Offender Registry. Of those, approximately 930 are under active supervision in the community under the jurisdiction of SCDPPPS.
- Average age of sex offenders is 37 years.
- Approximately 60% of sex offenders are white
- Approximately 40% of sex offenders are black or other ethnicity
- Average education level is 11th grade

“Jessie’s Law” Stats as of December 31, 2006

Number of Active Offenders on electronic monitoring:

Mandatory GPS placement	7
Discretionary GPS placement	2

Pending Cases:

The Department anticipates an increase in placements of offenders that qualify for “Jessie’s Law”. The November and December admissions indicate that “offense dates” are just now beginning to reach the applicable date of July 1, 2006 to fully qualify a new “Jessie’s Law” conviction case for GPS. Based on this data, the Department projects:

- **New Admissions (Mandatory)** – It is estimated that the Department will receive an average of 12 new admissions per month that will qualify for mandatory GPS.
- **New Admissions (Discretionary)** - It is estimated that the Department will receive an average of 14 new admissions per month that will qualify for discretionary GPS.
- **Violation of Supervision (Mandatory)** – As of December 31, 2006, there were 166 cases scheduled for a violation of supervision hearing that qualify for “Jessie’s Law”. Of these cases 83 would require mandatory GPS. The Department projects that 45 of these hearings will result in GPS placements.

Number sentenced for life:

There are no 2nd offense mandatory GPS offenders sentenced to life imprisonment during this reporting period.

Number of offenders with electronic monitoring violations:

Arrested on new charges	1
Absconded	<u>1</u>
Total Electronic Monitoring Violations	2

Number of alert notifications received, investigated, and prosecuted:

Acknowledged Status Notifications	4,820
AC Line alert	222
Charge Schedule alert	352
Cuff Leave alert	706
Exclusion Zone alert	43
DNC Violation alert	385
Inclusion Zone alert	704
Landline Fail alert	75
Strap Tamper alert	<u>36</u>
Total Number of Alerts	7,343

Note: Alert totals are for all GPS Offenders. They include "Jessie's Law" and "Non-Jessie's Law" offenders. "Non-Jessie's Law" offenders are court placements for crimes such as robbery or drug possession, and a pilot initiative by the Department to place high risk non-Jessie's Law sex offenders on GPS.

Total Expended July 1, 2006 to December 31, 2006:

General Funds:

Personal Services	\$13,410.57
Other Operating	<u>6,101.68</u>
Total General Funds	\$19,512.25

Capital Reserve Fund:

Other Operating	<u>\$765.34</u>
Total Capital Reserve Fund	\$765.34

Other Funds:

Personal Services	<u>\$6,284.23</u>
Total Other Funds	\$6,284.23

Total Expended July 1, 2006 to December 31, 2006	<u>\$26,561.82</u>
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Amount of funds collected from Sex Offenders:

Intensive Supervision Fees	\$110.00
Electronic Monitoring Fees	\$580.00

Per Day Costs:

Lease of Active GPS Equipment	\$8.55 per day
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Total number of staff assigned:

Statewide Coordinator	1
Supervising Agents	31

Average Agent Case Loads:

The Department has divided the state into 26 response zones. As of December 31, 2006, the Department has 10 response zones active. Each zone has designated on-call Agents with supervisory back up. If an alert is received by the on-call Agent a determination is made as to whether or not the alert can be addressed by phone or if an Agent needs to physically respond to the incident location.

Anticipated fiscal needs for upcoming fiscal year:

Recurring Base General Fund Appropriations	\$2,700,000
Requested Recurring General Funds for 2 nd Year	<u>\$500,000</u>
Total Anticipated for Year Two	\$3,200,000
Recurring Other Fund Authorization	\$670,569
Requested Other Fund Auth. For 2 nd Year "Jessie's Law"	<u>\$250,000</u>
Total Other Fund Authorization for Year Two	\$920,569
Total Funds Anticipated for Year Two	<u><u>\$4,120,569</u></u>

Total GPS Programs Stats as of December 31, 2006

Number of Active Offenders on electronic monitoring:

Sentencing Court or Releasing Authority Placement	6
Supervision Violation Placement	1
Other GPS Placement (Dept. policy, pilot project, etc.)	4
"Jessie's Law" Mandatory Placement	7
"Jessie's Law" Discretionary Placement	2
SCDC Releases to GPS	0
DJJ Placements	<u>0</u>
Total Active GPS Placements	20

Pending Cases:

The Department anticipates an increase in placements of offenders that qualify for "Jessie's Law". The November and December admissions indicate that "offense dates" are just now beginning to reach the applicable date of July 1, 2006 to fully qualify a new "Jessie's Law" conviction case for GPS. Based on this data, the Department projects:

- **New Admissions (Mandatory)** – It is estimated that the Department will receive an average of 12 new admissions per month that will qualify for mandatory GPS.
- **New Admissions (Discretionary)** - It is estimated that the Department will receive an average of 14 new admissions per month that will qualify for discretionary GPS.
- **Violation of Supervision (Mandatory)** – As of December 31, 2006, there were 166 cases scheduled for a violation of supervision hearing that qualify for "Jessie's Law". Of these cases 83 would require mandatory GPS. The Department projects that 45 of these hearings will result in GPS placements.

Number sentenced for life:

There are no 2nd offense mandatory GPS offenders sentenced to life imprisonment during this reporting period.

Number of offenders with electronic monitoring violations:

Arrested on new charges	1
Arrested awaiting VOP Hearing	1
Community Supervision case revoked	1
Absconded	<u>1</u>
Total Electronic Monitoring Violations	4

Number of alert notifications received, investigated, and prosecuted:

Acknowledged Status Notifications	4,820
AC Line alert	222
Charge Schedule alert	352
Cuff Leave alert	706
Exclusion Zone alert	43
DNC Violation alert	385
Inclusion Zone alert	704
Landline Fail alert	75
Strap Tamper alert	<u>36</u>
Total Number of Alerts	7,343

Note: Alert totals are for all GPS Offenders. They include "Jessie's Law" and "Non-Jessie's Law" offenders. "Non-Jessie's Law" offenders are court placements for crimes such as robbery or drug possession, and a pilot initiative by the Department to place high risk non-Jessie's Law sex offenders on GPS.

Total Expended July 1, 2006 to December 31, 2006:

General Funds:

Personal Services	\$23,954.76
Other Operating	<u>6,101.68</u>
Total General Funds	\$30,056.44

Capital Reserve Fund:

Other Operating	<u>\$765.34</u>
Total Capital Reserve Fund	\$765.34

Other Funds:

Personal Services	\$18,628.72
Other Operating	<u>16,494.54</u>
Total Other Funds	\$35,123.26

Total Expended July 1, 2006 to December 31, 2006 **\$65,945.04**

Amount of funds collected from Sex Offenders:

Electronic Monitoring Fees	\$4,610.00
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Per Day Costs:

Lease of Active GPS Equipment	\$8.55 per day
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Total number of staff assigned:

Statewide Coordinator	1
Supervising Agents	60

Average Agent Case Loads:

The Department has divided the state into 26 response zones. As of December 31, 2006, the Department has 10 response zones active. Each zone has designated on-call Agents with supervisory back up. If an alert is received by the on-call Agent a determination is made as to whether or not the alert can be addressed by phone or if an Agent needs to physically respond to the incident location.

Anticipated fiscal needs for upcoming fiscal year:

Recurring Base General Fund Appropriations	\$2,700,000
Requested General Funds for Non-Jessie's Law	\$878,056
Requested General Funds for Homeless Sex Offenders	\$763,089
Requested General Funds for 2 nd Year "Jessie's Law"	<u>\$500,000</u>
Total Recurring General Funds for Year Two	\$4,841,145
Requested Non-recurring for Non-Jessie's Law	\$62,604
Requested Non-recurring for Homeless Sex Offenders	<u>\$192,868</u>
Total Non-recurring for Year Two	\$255,472
Recurring Other Fund Authorization	\$670,569
Requested Other Fund Auth. For Non-Jessie's Law	\$412,048
Requested Other Fund Auth. For 2 nd Year "Jessie's Law"	<u>\$250,000</u>
Total Other Fund Authorization for Year Two	\$1,332,617
Total Funds Anticipated for Year Two	<u><u>\$6,429,234</u></u>